

Adopted	Rejected
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COMMITTEE REPORT

YES:	27
NO:	0

MR. SPEAKER:

Your Committee on Ways and Means, to which was referred House Bill 1266, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:

1 Page 3, delete lines 30 through 39, begin a new paragraph and insert:
2 "SECTION 4. IC 5-22-2-13.5 IS ADDED TO THE INDIANA
3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
4 UPON PASSAGE]: **Sec. 13.5. "Internet" means the international**
5 **computer network of both federal and nonfederal interoperable**
6 **packet switched data networks, including the graphical**
7 **subnetwork called the world wide web.**
8 SECTION 5. IC 5-22-2-13.7 IS ADDED TO THE INDIANA CODE
9 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON
10 PASSAGE]: **Sec. 13.7. "Internet purchasing site" means an open**
11 **and interactive electronic environment that is designed to**
12 **facilitate the purchase of supplies by means of the Internet."**
13 SECTION 6. IC 5-22-2-28.5 IS ADDED TO THE INDIANA CODE
14 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON

PASSAGE]: **Sec. 28.5. "Reverse auction" means a method of purchasing in which offerors submit offers in an open and interactive environment through the Internet."**

Page 4, between lines 21 and 22, begin a new paragraph and insert:

"SECTION 7. IC 5-22-7-5, AS AMENDED BY P.L.31-2002, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) The purchasing agency shall give notice of the invitation for bids in the manner required by IC 5-3-1.

(b) The purchasing agency for a state agency shall also provide electronic access to the notice through the electronic gateway administered by the intelnet commission.

(c) The purchasing agency for a political subdivision may also provide electronic access to the notice through:

(1) the electronic gateway administered by the intelnet commission as determined by the commission; or

(2) any other electronic means available to the political subdivision."

Page 5, between lines 28 and 29, begin a new paragraph and insert:

"SECTION 8. IC 5-22-10-21 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 21. (a) This section applies to:**

(1) municipalities; and

(2) counties.

(b) A purchasing agency may purchase supplies:

(1) through the Internet; or

(2) by means of a reverse auction;

in accordance with written policies for the operation of the purchasing agency's Internet purchasing site.

(c) The purchasing agency must adopt written policies for the operation of the purchasing agency's Internet purchasing site, including policies for:

(1) transmitting:

(A) notices;

(B) solicitations; and

(C) specifications;

(2) receiving offers;

- 1 **(3) making payments;**
2 **(4) protecting:**
3 **(A) the identity of an offeror; and**
4 **(B) the amount of an offer until the time fixed for the**
5 **opening of offers;**
6 **(5) for a reverse auction, providing for the display of the**
7 **amount of each offer previously submitted for public viewing;**
8 **(6) establishing the deadline by which offers must be received**
9 **and will be considered to be open and available for public**
10 **inspection; and**
11 **(7) establishing the procedure for the opening of offers.**
12 **(d) IC 5-22-16-6(a)(2) does not apply to a reverse auction."**
13 Renumber all SECTIONS consecutively.
 (Reference is to HB 1266 as printed January 27, 2004.)

and when so amended that said bill do pass.

